

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14570, of the New Strait Gate Baptist Church, pursuant to Paragraph 8207.11 (3107.2, DCMR 11) of the Zoning Regulations, for a variance from the parking requirements (Sub-section 7202.1, 2101.2, DCMR 11) for a proposed addition and conversion of an existing structure into a church in a C-1 District at premises 4407 Bowen Road, S.E., (Square 5365, Lot 5).

HEARING DATE: March 18, 1987

DECISION DATE: March 18, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 4407 Bowen Road, S.E. is located on the east side of Bowen Road north of its intersection with Ridge Road. The site is located in a C-1 District.
2. The site is a through lot with a frontage of 20 feet along Bowen Road and approximately 32 feet along Ridge Road. The site is improved with a one-story brick structure occupied by the New Strait Gate Baptist Church.
3. Pursuant to Paragraph 8207.11 of the Zoning Regulations, the applicant is seeking a variance from the parking requirements (Sub-section 7202.1) for a proposed addition to the existing structure.
4. The addition will be one-story and will be used for worship and church related activities.
5. The Church has a congregation of 45 members. The hours of operation are from 9:30 A.M. through 1:00 P.M. and from 5:00 P.M. through 7:00 P.M. on Sundays. On Wednesdays the church is open from 7:00 P.M. through 9:00 P.M.
6. Generally, not more than eight privately owned vehicles are used by members of the congregation and parked during any given service.
7. Two parking spaces measuring nine by 19 feet as required by the Zoning Regulations will be provided at the rear of the addition.
8. The rear portion of the lot fronting on Ridge Road can be used for stacked parking of five cars.

9. An additional four parking spaces will be available on an adjacent site. The adjacent site is owned by the neighboring beauty salon and is used during regular business hours for customers/employees of the salon. The salon does not operate on Sundays.

10. Ample on-street parking is available on Ridge Road and Bowen Road.

11. It is not anticipated that the size of the congregation will increase as a result of the construction of the addition. The Church has operated at the site for five years without any known complaint from neighbors regarding its general operations, or with respect to parking.

12. The church owns a van which is parked at the rear of the lot. This portion of the lot is unpaved and not otherwise used for parking.

13. Advisory Neighborhood Commission (ANC) 7E filed no report on the application.

14. Persons who wished to testify either in favor of or in opposition to the motion were given an opportunity to do so.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance, the granting of which requires a showing through substantial evidence of a practical difficulty upon the owner arising out of some unique or exceptional condition of the property such as exceptional narrowness, shallowness, shape or topographical conditions. The Board further must find that the relief requested can be granted without substantial detriment to the public good and that it will not substantially impair the intent, purpose and integrity of the zone plan.

Section 7202.1 of the Zoning Regulations requires that five parking spaces be provided for a church in the C-1 zone. The applicant will be providing only two spaces necessitating a variance of three spaces or 60 percent. The Board concludes that the applicant has met the burden of proof. The Church can provide more than two parking spaces on the site although the additional spaces will be stacked parking and therefore will not meet the requirements of the Regulations. Ample additional parking is available for the parking needs of the church on the adjacent lot. In addition, sufficient on-street parking is available on Bowen and Ridge Roads to further accommodate the parking demands of the Church.

The Board further concludes that granting the proposed relief will not cause substantially detriment to the public good and will not substantially impair the intent, purpose and integrity of the zone plan. Accordingly, it is hereby ORDERED that the application is GRANTED SUBJECT to the CONDITION that construction shall be in accordance with the plans marked as Exhibit No. 8 of the record.

VOTE: 5-0 (Patricia N. Mathews, Charles R. Norris, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: JUN 2 1987

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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